

***Response to Amendment***

1. Claims 1, 3-4, 6-10 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB (1190023).
2. GB '023 discloses clear liquid detergent composition comprising up to 50% by weight of fatty acids unsaturated soap comprising at least one unsaturated fatty acids having from 14-22 carbon atoms and 8-22 carbon atoms; a solvent; and up to 15% of one or more organic agents such as glycerol or polyethylene glycols (page 1, lines 1-30). See examples 1 and 2, page 7, lines 1-27.
3. As this reference teaches all of the instantly required it is considered anticipatory.
4. In the alternative, GB '023 is silent with respect to the percentage of unsaturated fatty acid in said soap component and further it would have been obvious to the skilled artisan to optimize said proportion of fatty acid soap where said unsaturated fatty acid is required.
5. Claims 1, 3-4, 6-10 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB (2005297).
6. GB '297 disclose a liquid soap composition comprising 12-40% by weight of fatty acid soaps having predominantly saturated fatty acid of C12, 16 and 18 carbon atoms; and 5-20% of glycols such as propylene glycol (page 1, lines 16-30 and example 4).
7. As this reference teaches all of the instantly required it is considered anticipatory.
8. In the alternative, GB '297 is silent with respect to the percentage of unsaturated fatty acid in said soap component and further it would have been obvious to the skilled

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artisan to optimize said proportion of fatty acid soap where said unsaturated fatty acid is required.

***Response to Arguments***

9. Applicant's arguments filed 6-7-2009 have been fully considered but they are not persuasive.

10. Applicant argues that the amendments, which call out that the unsaturated fatty acid soaps are derived from castor oil are sufficient to overcome the prior art of record.

11. The examiner contends that the prior art of record, specifically teach with sufficient specificity coconut oil and palm kernel oil. For example, GB '023 or GB '297 teach that coconut acids and palmitic acids used in forming soaps (examples 1-6) and WO '390 specifically teach that castor oil, coconut oil and palm kernel oils are preferred in soap compositions (page 7, lines 4-5 and Tables 1-5).

12. Accordingly, it has been established that the soaps of the prior art continue to encompass the claimed invention and therefore the rejections remain as stated above.

13. Applicant argues that GB '297 teaches away from a transparent composition.

14. The examiner contends and respectfully disagrees because GB '297 teach all of the required components within the requisite proportions and it would have been inherent for the compositions of GB '297 to exhibit similar characteristics given that it teaches the same components in their requisite proportions.

15. Accordingly, it has been established that the soaps of the prior art continue to encompass the claimed invention and therefore the rejections remain as stated above.

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16. Applicant argues that the examples in his specification show unexpected results in Tables 3 and 4.

17. The examiner contends that the Tables in applicant's specification are not commensurate in scope with the claimed invention since the examples are drawn to narrower compositions outside the scope of the broader claims, criticality cannot be established. Specifically, the examples within the Table require specific humectants such as propylene glycol or sorbitol in 15% by weight. The claims have a plethora of humectants in a range as low as 5% by weight to 20% by weight. Accordingly, criticality cannot be established.

### ***Conclusion***

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Necholus Ogden, Jr. whose telephone number is 571-272-1322. The examiner can normally be reached on M-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Necholus Ogden, Jr./  
Primary Examiner  
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no